



**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND THE
COUNCIL SITTING AS THE REDEVELOPMENT AGENCY BOARD**

**Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, JUNE 22nd, 2005

The Regular meeting of the City Council, also sitting as the Redevelopment Agency Board was called to order by Mayor Pro Tem Pettis in the Council Chambers on June 22, 2005 at 3:00 p.m.

ROLL CALL:

Present: Council Members/RDA Board Members England, Marchand, Vasquez,
Mayor ProTem/RDA Vice Chairman Pettis

Absent: Mayor/RDA Chairman DeRosa

Mayor DeRosa was excused without objection, she was tied up in traffic and arrived at 3:05 p.m.

The regular meeting began at 6:30 p.m. and was opened by Mayor DeRosa.

Mayor Pro Tem Pettis offered an invocation, followed by Council Member England leading the Pledge of Allegiance.

During the afternoon session there was an added starter to the Closed Session Agenda of an urgency item. Council Member Marchand moved to add the item, motion seconded by Council Member England, motion carried 5-0 to add item 10. to the agenda.

CLOSED SESSION AGENDA:

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)
Number of Potential Cases: 3
2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6
Agency Negotiator: Donald Bradley, City Manager
Represented Employees: 1) Cathedral City Police Fire Management Association (CCPFMA); 2) American Federation of State, County and Municipal Employees.

CC/RDA/PFA MINUTES

JUNE 22nd, 2005

Page 2

3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):
Case Name: Glenn Haas, Jeff Miller, Brian Hirzel and Cathedral City Police Officers Association vs. Cathedral City; Cathedral City Police Department; Stan Henry, Chief of Police; John Holcomb, Captain; Gregory J. Savelli, Lieutenant; Sandra Hatfield, Dispatch Supervisor, et al.
Case No.: United States District Court, Central District of California Case No. EDCV 02-965
4. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):
Case Name: Scott Sharpe, Mark Fields, Rudy Salinas, Jay Horn, Karl Murashima, Owen Krings, Brian Hirzel, Albert Ruiz, Steve Williams, Paul Reindel, Glenn Haas, Nick Chapman, Gabriel Mendoza, Kelly Nava, Danny Anes, Dane Dickson, Mark Novy, Larry San Filipino, Jeremy Herrick, Ernie Vasquez, Tom Ferguson, Jon Enos, John Fox, Andy Diaz, Albert Ochoa, Dewayne Hodge vs. City of Cathedral City, a municipal corporation; Stan Henry, Chief of Police; Captain John Holcomb, Captain Kevin Conner and Lieutenant Al Reshaw in their individual capacity, and DOES 1 through 10, Inclusive
Case No.: United States District Court, Central District of California Case No. CV 04 02931 (VBKx) Complaint for Damages and Injunctive Relief Demand for Jury Trial
5. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):
Case Name: The City of Cathedral City vs. James Lucero, an individual, Elaine Lucero, an individual, Chandler J. Mahoney, an individual, Marie Corporation, a Corporation, Connie Ahumada, an individual; and DOES 1 through 50, inclusive
Case No.: Superior Court of the State of California In and for the County of Riverside, Indio Branch Case No. INC047273
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Mayor DeRosa**)
Property Location: Corner Intersection of Cathedral Canyon Drive and Highway 111
Negotiating Parties: Redevelopment Agency and Palm Canyon Partners
Property Owners: Redevelopment Agency
Under Negotiation: Disposition of Property
7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to

CC/RDA/PFA MINUTES

JUNE 22nd, 2005

Page 3

Government Code Section 54956.8 (**Paul Shillcock**)

Property Location: South of "D" Street and East of Van Fleet Avenue

APN# 687-241-027, 045, 047 and associated parcels

Negotiating Parties: Cathedral City Redevelopment Agency and Bill Waddle and Michael Criste

Property Owner: Cathedral City Redevelopment Agency

Under Negotiation: Property Disposition

8. PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code Section 54957

Title: Redevelopment Director

9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Keith Scott**)

Property Location: 68759 East Palm Canyon Drive

Negotiation Parties: Cathedral City Redevelopment Agency and Andrew Dena, Sunfirst Realty Associates

Property Owner: Cathedral City Redevelopment Agency

Under Negotiation: Property Disposition

10. CONFERENCE WITH REAL PROPERTY NEGOTIATION pursuant to Government Code Section 54956.8

Property Location: Mary Pickford Theater 36850 East Civic Center Drive Cathedral City

Negotiating Parties: Cathedral city Redevelopment Agency and Palm Canyon Partners

Property Owner: Palm Canyon Partners

Under Negotiation: Sale of the Mark Pickford Theater and assignment of The Redevelopment Assistance Agreement and Guaranty of Lease

CLOSED SESSION ANNOUNCEMENTS

Assistant City Attorney Kendall Berkey announced that there was one Closed Session announcement, Item 10. The Redevelopment Agency Board approved the Executive Director to execute assignment of the Redevelopment Assistance Agreement and Guaranty of the lease. Action taken by RDA Board 5-0, **by Minute Order R-1027.**

PUBLIC COMMENTS

Bill Cohen – Cathedral City. Mr. Cohen reported that Pam is still resting uncomfortably and really wants to come home, but he isn't equipped to handle her at home. Also they lost about C.O.P.'s who are snow-birds, they could use some new ones. He has applications, T-shirts, and coffee mugs.

Heather Bonsell – Cathedral City Ms. Bonsell represents the Desert Aquatic Group and

CC/RDA/PFA MINUTES

JUNE 22nd, 2005

Page 4

wanted to discuss costs of maintaining a pool on an annual basis.

Fred Bell – Cathedral City Mr. Bell came to tell us of his new position as Director of Legislative Liaison for the Desert Chapter of Building Industry Association of Southern California.

Gary Amy – Cathedral City Mr. Amy speaking on behalf of the Cathedral City Senior Center and the new building that is being constructed by Mercy Housing. Mr. Amy wanted to advise City Council that the ideas/requests of the Senior Center people seem to be falling on deaf ears – that things are being done differently that asked for or planned and there is a meeting at 7:30 a.m. tomorrow morning if someone from city staff could attend.

Seeing no one else wishing to speak Mayor DeRosa closed Public Comments.

AGENDA FINALIZATION

On a motion by Council Member Marchand, seconded by Council Member England, an urgency item with regard to Desert Water Agency, was added to the agenda. Motion carried 5-0. Added as item 16.

COUNCIL COMMENTS

Council Member Marchand commented about a power outage at Gerald Ford and Date Palm and advised that he had talked with the Southern California Service Representative about this problem. Council Member Marchand requested we adjourn tonight in memory of Carlo Maria Gulini, a long term member of the Los Angeles Philharmonic Orchestra, and Jamie Cardinal Sin of Manila.

Mayor Pro Tem Pettis reported that he had been to a National League of Cities meeting last week in Denver.

Council Member England discussed the Fountain Works Festival that will be held in the downtown square on July 3, from 5 p.m. to 10:00 p.m., and there are to be three Jazz Bands, a Marine Corps Marching Band from 29 Palms, lots of family fun, food, and entertainment. Please participate. He had attended a CVAG meeting of the Human & Community Resources committee and advised that Riverside County will be getting 16 million dollars in mental health funds from Prop 63. This money will be used for children and adults who are not presently in the system.

Council Member Vasquez will be the liaison for the Boys & Girls Club, a job previously held by Council Member England. He is looking forward to working with this group. Also Phase I of the 35th Avenue Assessment District has been completed and yesterday the first home ever was hooked to the new sewers.

There are a number of new Neighborhood Watch groups being formed – LaPosada, Cathedral Palms, Rio Vista Village. From 6-10 tonight the Kim Lewis Dance fund raiser

CC/RDA/PFA MINUTES

JUNE 22nd, 2005

Page 5

will be hosted at the new Cold Stone Creamery across the street. On Saturday the group will be performing at Palm Springs High School – tickets are \$12 Adults, and \$6 for kids.

Mayor DeRosa thanked Mayor Pro Tem Pettis for sitting in at the seven hour meeting of CVA yesterday. She has received notice that the CVWD will be installing fire hydrants where there are new sewers

MINUTES

Council Member Marchand moved approval of the minutes from the regularly scheduled City Council/RDA/Public Finance Authority Board meetings held on Wednesday, June 8th, 2005 as corrected. Motion seconded by Council Member England, motion carried 5-0.

PRESENTATION & PROCLAMATIONS

Mayor DeRosa asked the Council Members to join her at the lectern to make a presentation to John Mendosa, Principal at Cathedral City High School. Council Member England read a proclamation into the record honoring John for his efforts on behalf of the High School and a number of other accomplishments. Mr. Mendosa will be working out of the Palm Springs District Offices.

CONSENT AGENDA

Council Member Marchand moved approval of the consent agenda, and advised that he would be voting no on Item 11 only, motion seconded by Council Member England, motion carried 5-0, with one exception, item 11, which was 4-1.

1. Approved demand register in the aggregate amount of \$5,978,678 for the month of May, 2005 **by Minute Order #3911 and Minute Order # R-1028.**
2. Approved award of contract to Contreras Construction for the Perez Road Sidewalk extension **by Minute Order # 3912.**
3. Approved first amendment to the Owner's Participation Agreement (OPA) by and between the Cathedral City Redevelopment Agency and Roberta's Limited Partnership relative to the expansion of the Auto Center **by Minute Order # R-1029.**
4. Appointed the following Commissioners fill vacancies on various the Planning Commission and the Board of Appeals **by Minute Order #3913**

Planning Commission:

Lee R. Stark – New Appointment
Sonja Marchand – Reappointment
Bill Cunningham – New Appointment

Board of Appeals

James E. Reynolds – New Appointment
Donald Hair – New Appointment
Jim Mewes – New Appointment

CC/RDA/PFA MINUTES

JUNE 22nd, 2005

Page 6

5. Approved Tentative Parcel Map No. 32932, approving a request to consolidate 59 lots on 11.45 acres into one lot, reservations for public right of way, utility and access easements being generally located south of East Palm Canyon Drive, west and north of the East Cathedral Canyon Channel, and east of Van Fleet Avenue mixed use commercial zoning designation and utilizing the associated negative declaration for design review 05-001 and conditional use permit 05-003 **by Resolution No. 2005-50.**
6. Approved the Cathedral City Redevelopment Agency Board resolution, approving the issuance of a certificate of completion in connection with improvements on the Perez Road extension in accordance with the Stewart Family Properties Disposition and Development Agreement (DDA) **by Resolution No. R417.**
7. Approved Service Provider Agreement with the Cathedral City Chamber of Commerce relative to the proposed business resource program aspect of the Cathedral City Chamber of Commerce Economic Development Program for Fiscal Year 2005-2006 **by Minute Order # 3914.**
8. Approved Service Provider Agreement with the Cathedral City Chamber of Commerce **by Minute Order # 3915.**
9. Approved Tract No. 31774: Campanile Development: Approval of final tract map, located between Ramon Road and McCallum Way, east of the extension of Santoro Road; (Planned Unit Development PUD 03-01) Ramon Santoro Group, LLC, Subdivider **by Minute Order # 3916.**
10. Approved policy regarding mileage reimbursement for use of personal vehicles on city business **by Minute Order # 3917.**
11. Approved canceling City Council Meeting July 27th, 2005 **by Minute Order #3918. Council Member Marchand voted no on this item only.**

PUBLIC HEARINGS

12. Approval of proposed ordinance of the City Council for the City of Cathedral City, amending sections 9.72.060 and 9.72.080 of Chapter 9.72 "Conditional Use Permits" of the Cathedral City Municipal Code.

There was a brief report from Joe Richards, City Planner.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3919.**

CC/RDA/PFA MINUTES

JUNE 22nd, 2005

Page 7

13. Approval of sale of ten acres of land by the Cathedral City Redevelopment Agency located north of 30th Street and East of Date Palm Drive to Desert Cove Golf Resort, LLC.

Council Member Marchand declared a conflict on this item and left the dias.

A report was made by Economic Development Director Paul Shillcock who explained about this project.

Mayor DeRosa opened the floor to public comments.

Bill Proctor – Cathedral City wanted to know what was going to be built on this property, what was the usage going to be? Mr. Shillcock explained that there were several pieces of land involved, the specific area Mr. Proctor was inquiring about will have homes built.

Council Member England moved approval, motion seconded by Council Member Vasquez, motion carried 4-0 **by Minute Order # R-1030.**

LEGISLATIVE ACTION(S)

14. Adoption of proposed Resolutions of the City Council for the City of Cathedral City, declaring its intention for the levy and collection of assessments **by Resolution No. 2005-51**; preliminarily approving the Engineer's Report **by Resolution No. 2005-52**; and initiating proceedings for the annual levy of assessments for the Cathedral City Street Lighting and Landscape Maintenance District for Fiscal Year 2005-2006 **by Resolution No. 2005-53.**

Mr. Mohler, Assessment District Engineer gave a brief report.

Public Comments were opened and closed without comment.

Council Member Marchand moved to adopt the above Resolutions, motion seconded by Council Member Vasquez, motion carried 5-0.

15. Consideration of options relative to Community Development Block Grant Funds.

Economic Director Paul Shillcock advised that the city had an opportunity to decide to change the way we accepted these funds now that we have passed 50,000 population. He proceeded to explain the possible changes.

Public Comments were opened and closed without comments.

Council Member Marchand moved to confirm that the city would continue to use the method approved at a previous council meeting and that no change would occur at

CC/RDA/PFA MINUTES

JUNE 22nd, 2005

Page 8

this time. Motion seconded by Mayor Pro Tem Pettis, motion carried 5-0 **by Minute Order # 3920.**

16. Proposed approval of a short-term loan agreement with the Desert Water Agency and Coachella Valley Water District.

Deputy City Manager Julie Baumer gave a brief report explaining that the DWA was going to increase the capacity fees by \$500 on July 1, and Mayor DeRosa was able to reach an agreement with DWA giving the owners additional time beyond the July 1 date (until July 11th) at the original rate.

Mayor DeRosa opened the floor to Public Comments.

Gene Touchet – Cathedral City. Mr. Touchet asked for clarification to whom the checks for the cove sewer district show be made. Tami Scott advised “The City of Cathedral City.

Council Member Marchand moved approval of the agreement, motion seconded by Mayor Pro Tem Pettis, motion carried 5-0 **by Minute Order # 3921.**

ADJOURNMENT

Hearing no further business to come before the City Council, Mayor DeRosa adjourned the meeting at 7:32 p.m. in memory of Carlo Maria Gulini, a long term member of the Los Angeles Philharmonic Orchestra, and Jamie Cardinal Sin of Manila.

Pat Hammers, CMC
City Clerk